

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

M&I BANK, FSB,

Plaintiff,

v.

PARADISE INVESTORS GROUP,
LLC, et al.,

Defendants.

2:11-CV-21 JCM (VCF)

ORDER

Presently before the court is plaintiff's notice of settlement (doc. #31), advising this court that the parties have reached a resolution to their dispute and requesting that this court vacate its February 2, 2012 summary judgment hearing. The parties further request that the court set a status conference regarding the settlement agreement to resolve an "impasse [that] has arisen with regard to several terms of the [settlement m]emorandum." Notice 2:3.

This court finds it appropriate to vacate the summary judgment hearing, because the pending motions have been rendered moot in light of the settlement. However, the court is not inclined to preside over what amounts to a settlement conference between the parties. First, intervening in such a context risks the court becoming involved in aspects of the case that may impinge on the court's impartiality should future motions or proceedings arise in the litigation. Second, the local rules for the District of Nevada dictate that the magistrate judges preside over settlement conferences. *See* LR IB 1-9(b).

1 Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the currently pending
3 motion to strike jury demand (doc. #15) and the currently pending motion for partial summary
4 judgment (doc. #16) be, and the same hereby are, DENIED as moot.

5 IT IS FURTHER ORDERED that the hearing currently set for February 2, 2012, be
6 VACATED.

7 DATED January 30, 2012.

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10 **UNITED STATES DISTRICT JUDGE**